

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

TIMOTHY PATRICK MORRIS,)	
)	
Plaintiff,)	
)	
vs.)	1:06-CV-794-TMP
)	
SHERIFF JOSEPH E. JACKS, JAIL)	
ADMINISTRATOR LANE KILGORE,)	
and NURSE PAM CALDWELL,)	
)	
Defendants.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on April 19, 2007, recommending that the defendants' motion for summary judgment be granted and this cause be dismissed without prejudice for plaintiff's failure to exhaust his administrative remedies prior to filing this lawsuit. Plaintiff filed objections to the report and recommendation on April 25, 2007. Plaintiff provides additional details concerning his medical condition, but fails to address the issue of his failure to exhaust the administrative remedies of the Cleburne County Jail.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections filed by the plaintiff, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendants' motion for summary judgment is due to be GRANTED, and this action is due to be DISMISSED WITHOUT

PREJUDICE. A Final Judgment will be entered.

DONE this 16th day of May 2007.

A handwritten signature in cursive script, reading "Inge Prytz Johnson", written in black ink.

INGE PRYTZ JOHNSON
U.S. DISTRICT JUDGE